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List of issues and questions in relation to the combined seventh and eighth periodic reports of the United Republic of Tanzania

Addendum

Replies of the United Republic of Tanzania*

[Date received: 8 February 2016]

* The present document is being issued without formal editing.

Please recycle

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Acronyms and abbreviations

CSO	Civil Society Organization
CHRAGG	Commission for Human Rights and Good Governance
FBOs	Faith Based organizations
GCD	Gender and Children's Desk
IMTC	Inter-Ministerial Technical Committee
LRC	Law Reform Commission
LHRC	Legal and Human Rights Centre
MDAs	Ministries, Department and Agencies
MKUZA	Mpango wa Kukuza Uchumi na Kupunguza Umaskini Zanzibar
MoEVT	Ministry of Education and Vocational Trade
MOJCA	Ministry of Justice and Constitutional Affairs
NEC	National Electoral Commission
NGOs	Non-Governmental Organizations
PHCU	Primary Health-Care Unit
PWD	People With Disabilities
SDGs	Sustainable Development Goals
SGBV	Sexual and Gender-based violence
TAMWA	Tanzania Media Women Association
TAWLA	Tanzania Women Lawyers Association
WLAC	Women's Legal Centre
WIW	Women's Information Windows
ZEC	Zanzibar Electoral Commission
ZEF	Zanzibar Empowerment Fund

I. Constitutional, legislative and institutional framework and access to justice

Issue 1

(i)

1. The State Party has the Proposed Constitution of The United Republic of Tanzania in place and not a "Draft Constitution for Tanzania Mainland". The Proposed Constitution is awaiting a referendum and the timeframe for holding the referendum and adoption of the new Constitution is yet to be announced.

(ii)

2. Article 293 and 294 of the Proposed Constitution has set a time frame of four years from the date of commencement of the new Constitution to make necessary amendments to the Constitution of Zanzibar of 1984.

Issue 2

(i)

3. The Law Reform Commission has accelerated the review process of legislation affecting women by providing a conducive environment fostering consultations and dialogue between CSOs, women's organizations and local authorities. As a result their concerns were captured in the Proposed Constitution.

4. Article 57 of The Proposed Constitution has considered Women's Rights and provides that women have the right; to be respected and recognized; to be protected against discrimination, humiliation, ill treatment, gender violence and bad customs and traditions; to participate without discrimination in voting process and making decisions; to be employed on an equal footing as men; to have their employment safeguarded during their pregnancy and upon giving birth; to access to health care and to own property. The State Party states that the Proposed Constitution is awaiting a referendum when the people will vote and finalize the content.

5. The Ministry of Constitutional and Legal Affairs (MOCLA), with support from CSOs has drafted a white paper to be submitted to the inter-ministerial committee. The White Paper highlights sections of the Law of Marriage Act and recommends review of various sections of the law.

6. The adoption of a new Constitution will accelerate/necessitate the amendment of all discriminatory laws so as to enhance equality between men, women and children.

(iii)

7. Customary justice mechanism is dictated by the traditions of a society or community in the State Party and indeed customary law in one of the sources of law within the State Party. It has its origins in the way of life of the respective societies which have indoctrinated traditions spanning hundreds of years. Customary law in the State Party has been codified and agreed to by the people who make up the society and recognized as law by the Local Customary Law (Declaration) (No. 4) Order [Cap 358 RE 2002] and also by the Judicature and Application of Laws Act [Cap 358 RE 200]

8. However, in the event that some of the customs or traditions are considered as discriminatory, bad or inappropriate, Section 12 of the Judicature and Application of Laws Act [Cap 358 RE 200] specifically provide an avenue for the community through their District Council to enforce modification or removal of the discriminatory custom.

Issue 3

(i)

9. The state Party has drafted a Legal Aid Bill though the actual time for adoption is not yet set. The Draft Bill formalizes legal aid services and guarantees access to justice to marginalized groups and communities including vulnerable groups such as the poor, vulnerable women girls and women, people with disabilities and the elderly. The Legal Aid Bill provides a long-term strategy to help protect poor people from escalating injustices and human rights violations. The Bill also sets rules and standards for formal operation of paralegals, who have been providing legal aid.

10. In Tanzania Zanzibar, the Ministry of Justice (MOJCA) in collaboration with stakeholders are preparing a legal Aid Policy which is a key intervention in the National Legal Sector Reform Programme 2014-2019. The draft policy has been shared with stakeholders at different levels, and now it waits to be taken to the Inter-Ministerial Technical Committee (IMTC).

(ii)

11. In order to remove all barriers to women's access to justice the State the MCDGC opened 12 Women's Information Windows (WIWs) at 7 Focal Development Colleges (FDCs) which are Bigwa, Masasi, Kiwanda, Mamtukuna, Ikwiriri, Singida and Mwamva and at 5 CDTIs which are Rungemba, Monduli, Ruaha, Mabughai, and Uyole; all are in rural areas. The WIWs provides free information to women on legal aid, available job, training and marketing opportunities, education on running income generating activities, mama "course" and reading classes. Up to January 2015, a total number of 14,568 women received information and the MCDGC is expected to open more WIWs in order to reach a bigger number of girls and women living in rural areas.

12. CHRAGG, through implementation of the National Human Rights Action Plan (NHRAP), is conducting a national wide public awareness campaign on human rights focusing on vulnerable groups including women, girls and children. This activity is supported by United Nations agencies including UNDP, UNFPA, UN-Women, and UNICEF. Implementation of the NHRAP has also resulted in strengthening institutional support for police gender desks throughout the country and building a block specific for a gender desk at Stakshari police station.

13. One Stop Centres have been established to provide free counselling and legal aid services to women and girls. There are 7 centres in Hospitals in Tanzania Mainland at; Amana Hospital in Dar es salaam Region and the Regions of Hai, Mbeya, Iringa, Simiyu, Mwanza and Shinyanga and it is expected to open another one soon in Kibaha. There are 6 centres in Tanzania Zanzibar hospitals including Mnazi mmoja, Kivunge, Makunduchi, Chake chake, Wete and Micheweni.

14. In Tanzania Zanzibar, paralegals have been designated to every constituent to provide legal support to women in need. Trainings on women rights have been conducted regularly throughout the country including media programmes via public, private and local media institutions.

Issue 4

(i)

15. The State Party spearheaded national consultations on the Post-2015 global development agenda and provided forums for the people, including the poor, marginalized and vulnerable groups to participate in creating the development agenda. To ensure equal participation of women in the adoption of the agenda, in October 2012 the Planning Commission in collaboration with the Economic and Social Research Foundation (ESRF) coordinated Stakeholders meetings on Post-MDG Development Agenda for LGAs, CSOs, and Vulnerable Groups to examine key aspects of the pre- and post-2015 Agenda.

16. The ESRF also organized seven Zonal Workshops held on 4 December 2012 in Mwanza, Shinyanga, Dodoma, Mbeya, Arusha, Mtwara and Morogoro. Also, three consultative workshops were held in Dar es Salaam and Mtwara to consult the vulnerable groups (Poor, Youth, Girls, Women and the Elderly).

17. Tanzania Zanzibar also ensured full participation of women in the process of developing and adopting the Post-2015 development agenda in various sessions and meetings.

18. As a result, the State Party adopted the Sustainable Development Goals (SDGs). Several Workshops have been held at the national level to orient key decision makers, government officials, men and women on the SDGs. In Tanzania Zanzibar the SDGs Agenda has been domesticated in MKUZA successor strategy development process whereby a number of women from various public and private institutions including NGOs, CSOs, FBOs and community members have been involved.

19. Further the SDGs were linked to Human Rights during the National Human Rights Day celebrations on 10 December 2015. Also the Gender Mainstreaming Working Group (GMWG) members were oriented on these AGENDA whereby majority of its members are women.

II. National machinery for the advancement of women

Issue 5

(i)

20. GMWGs are coordinated by the Ministry of Community Development Gender and Children (MCDGC) in Tanzania Mainland. It is hosted by the MCDGC, and co-chaired with UN-Women as the lead DP. The GMWG-MP provides a multi-stakeholder space for dialogue, analysis, priority setting and strategic interventions on policy processes and programmes to enhance gender equality and women's empowerment in the context of development effectiveness and dialogue. Resources for the GMWG-MP are located in the MCDGC Medium Term

Expenditure Framework 2014/15-2015/16 with additional advisory, technical and financial support from UN-Women.

21. In Tanzania Zanzibar, GMWGs have been established to promote gender mainstreaming in policies, programmes and budget. It is composed of the Directors of Planning, Policy and Research of all sector ministries, academia and NGOs directly engaging in promoting Gender equity, equality and women empowerment. Their capacity has been strengthened on gender mainstreaming, gender budgeting and the SDGs. In terms of institutional structure, the GMWG is under the Department of Women and Children whereby the Director of Women and Children is head of the secretariat and the Principal Secretary of the Ministry responsible for women is a chairperson. In its 2014/2016 annual workplan Tsh. 22,820,000 was allocated to build the capacity of GMWG members.

(ii)

22. The draft National Gender Policy takes full account of existing gender differences in the entire social and economic systems at all levels. It includes the integration and institutional mechanism that supports women participation in social and economic system. The draft integrates new issues that affect the lives of both men and women such as the use of drugs, existence of contradicting and discriminatory laws, the increase of illiterate men and women and women's limited access to legal services. The draft also covers emerging issues which need policy intervention such as climate change which poses challenges towards realization of gender equality and sustainable development. The MCDGC has not yet established the actual time for its adoption.

(iii)

23. The MCDGC will be responsible for the coordination, monitoring and evaluation of the new National Gender Policy which will be implemented by all Government Ministries, Departments and Agencies in collaboration with Development Partners, NGOs, Civil Societies and the community/society.

(iv)

24. The draft Zanzibar Gender Policy is scheduled to be tabled before the IMTC. Its implementation plan has been developed and articulates human resources, technical capacity and financial resources.

III. Temporary special measures

Issue 6

(i)

25. To ensure full participation of women in all areas covered by the Convention, including the education sector, the Government eliminated school fees at primary and secondary level from January 2016 and is working on provision of free meals to students and supporting girls' completion of schooling by providing "girl-friendly" environment through construction of dormitories for isolated schools.

26. Other programmes focus on enhancing the life skills of girls and boys to enable them to cope with growing-up challenges. The MOEVT has developed guidelines for implementing HIV/AIDS and life skills education programmes in schools.

27. Gender sensitivity in Higher Learning Institutions is being mainstreamed by giving priority to female students seeking accommodation on campus, collaborating with communities to provide hostel facilities in the vicinity of the institutions and supporting the establishment of Student Gender Clubs for gender awareness and networking. Many institutions have established Gender Units, Gender Policies and/or Gender Focal Points whose mandate is to oversee gender issues such as sexual harassment in the respective institution.

28. The quality and availability of education and complementary services has been improved in rural areas by improving the quality of schools, teachers and curriculum. Efforts are ongoing to reduce "dropouts" due to early marriages and pregnancies through the media by raising awareness on the benefits of education using cinema vans that shows video focusing on different targeted messages for boys and girls.

IV. Stereotypes and harmful practices

Issue 7

(i)

29. In Tanzania Mainland, no specific comprehensive strategy has been developed and implemented to change public's attitudes on social and cultural patterns that lead to gender stereotyping. However, there are ongoing efforts done by the State through different programmes and projects some supported by NGOs working to combat harmful practices by undertaking a variety of strategies. Strategies include the health risk approach, human rights approach, women's empowerment, providing alternative sources of income for traditional excisors, and providing safe refuge for girls fleeing FGM.

30. Tanzania Zanzibar has taken comprehensive educational and awareness raising measures to address gender issues including preventing and responding to GBV issues and harmful practices such as early and forced marriages targeting population in rural and urban areas. Measures include capacity-building sessions with religious leaders, law enforcers, GBV committees and parenting groups. The Government has been building capacity of media institutions including community radios to produce and air educative programmes. Through the Community Capacity Enhancement approach, the community discusses gender and HIV issues and identify key interventions for their action. Also, community theatre performances are conducted regularly to influence attitude change.

(ii)

31. The Commission for Human Rights and Good Government (CHRAGG) convened a stakeholders meeting on 18 March 2015 involving MDAs, CSOs religious institutions, international organizations and organizations serving people with disabilities to discuss the situation of albino killing, "widow cleansing", the

killing of elderly women accused of witchcraft and the practice of prescribing sex with girls or women with albinism as a cure for HIV.

32. The meeting led several development partners including the One United Nations system to further support advocacy campaigns to end attacks and killings of PWAs. As a resulted the State placed restrictions on traditional healers to as a measure to combat attacks and killings of PWAs for their body parts.

33. The State in collaboration with the Tanzania Albinism Society formed a taskforce to conduct special operations against the kidnaps, abductions and murders. The State also collaborated with Under the Same Sum and visited the most prevalent areas to find plausible solutions. In 2015, the then Minister of Home Affairs Hon. Mathias Chikawe announced the launch of an education campaign to end the killings.

34. The State adopted the United Nations resolution to mark 13 June of each year as is a day of International Awareness for Persons with Albinism. Celebrations were held for the first time in 2015 where awareness was raised on the promotion and protection of rights of PWAs. The Day was inaugurated by the then President, his Excellency, Dr. Jakaya Mrisho Kikwete.

35. The Director of Public Prosecutions (DPP) has identified and prioritized prosecution of attacks and killings of person with albinism in 8 prevalent regions in Tanzania Mainland being; Simiyu, Geita, Mwanza, Tabora, Shinyanga, Kagera, Kigoma and Mara. The DPP has also prosecuted cases in the following Regions; Morogoro, Arusha, Mbeya, Katavi, Singida and Pwani. A total of 63 cases were reported in Tanzania Mainland.

Issue 8

(i)

36. Some communities have passed by-laws against FGM. For example, a Maasai village in Kilimanjaro Region where the village had enacted a by-law to punish the perpetrators of FGM which led to a Court action against the parents of an 18-year-old girl who was cut. The parents were fined and imprisoned. The community no longer practices FGM.

37. There is no record indicating the number of suspects convicted of FGM. However, there have been successful prosecutions. In 2012, one excisor in Mara region was arrested and charged for cutting two school girls.

38. Girls are encouraged to report their parents to local authorities or anti-FGM organizations such as AFNET. In response to the trend to cut infants, health-care workers in Singida are reported to check infants when they are presented at clinics for routine check-ups.

(ii)

39. SOSPA was incorporated into the Penal Code [Cap 16 RE 2002] and Section 169A of the act criminalizes FGM for girls who are under 18 years of age. If FGM is done to a woman above 18 years old the offender can be charged with the offence of grievous harm under section 225 and/or assault under section 241 of the Penal Code.

(iii)

40. The MCDGC conducts seminars for people caught performing FGM and educates them on the negative impact of the act and then connects them to the local government authorities where there is a special fund for women provided by the Ministry known as Women Development Fund (WDF) so they receive training on how to run income generating activities and receive loans.

V. Violence against women

Issue 9

(i)

41. The State in collaboration with stakeholders held capacity-building for Judges, prosecutors, judicial personnel and lawyers at the local and community levels on International and Regional instruments on violence against women and domestic human rights laws particularly those relating to marriage, succession, custody, and adoption and property rights. From 2014 to May 2015, a total of 109 Judges and 50 legal officers were trained human rights issues including women and children's rights.

42. The State also trained about 2,000 Police Officers between 2009 and 2015. The training package covered issues related to human rights in general, women and children's rights and provisions of services to the survivors of SBGV.

43. Training on human rights were held on 30 August to 11 September 2015 and 10 to 21 August 2015 for 40 Gender and children's desks officers and 10 key stakeholders being; Local Government Authorities, doctors, social welfare officers, Magistrates, Advocates and NGOs representative. The trainees increased their knowledge and skills in handling GBV, Sextortion and Child Abuse cases.

44. The National Gender and Children Coordination Team is in place and chaired by the Police Gender Unit. The team consists of a diverse group of actors including Government, departments, civil society organizations, United Nations Agencies and other development partners. More gender and children's desks are being established throughout the country including 6 new gender desks in Tarime funded by the UNFPA and UN-Women.

45. Training of police officers; equipping the desks with furniture, computers and other equipment; awareness campaigns especially through media are some of the initiatives being supported by United Nations agencies.

46. In Tanzania Zanzibar the Judiciary has held two major training sessions for Judicial officers one on Human Rights in the Administration of Justice which aimed at broadening knowledge of Judicial officers on Human rights, International and Regional Instruments for the protection of Children's and women's rights. The second session was on Advancing Judicial Discourse on Gender and Human rights which aimed at widening the knowledge of Judicial officers on women's rights and how to deal with cases of violence against women.

47. Also, as a victim protection measure, cases of sexual offences are conducted in camera in children's Court whereby a victim of sexual violence and the offender are separated and do not see each other during proceedings.

48. A National Committee on Violence against Women, Children and People with Albinism has been established.

49. The Government through the Ministry of Health issued GBV Medical Management Guidelines in the health sector and disseminated it to all health district facilities in 2013. Furthermore, the Ministry has developed GBV Policy Guidelines for Multisectoral Response to GBV which is being coordinated by the National Multi-Sectoral Committee on Violence against Women and Children. Further, the reviewed Police Form Number 3 (PF 3) was launched in 2013 in order to assist legal and medical personnel in responding to GBV issues, documenting relevant information and creating referral for further response of the GBV problem.

50. The Tanzania Police Force launched a 3-year Action Plan to respond to GBV issues with proper planning and allocated resources. The Action Plan is designed to guide the efforts of the Tanzania Police Force in enhancing effectiveness and efficiency of their response to cases of GBV and child abuse. It sets out clear outputs, activities and targets and provides a clear baseline against which progress can be monitored. Six Regions have been identified as priority areas for implementing the plan using newly national guidelines for establishing Gender and Children Desks (GCDs) for FY 2013/16. Also, the Tanzania Police Female Network (TPFNET) carried out a mapping of the Gender and Children's Desks in 2012.

51. Gender and Children's Desks have been formally established in 417 Police Stations. The State is working on improving quality of the service delivered by the GCDs, the environment, skills and knowledge of the police officers staffing the Desks in order to fully comply with the Guidelines for the Establishment of the GCDs 2012 and the SOP on Prevention and Response to GBV and Child Abuse 2012.

52. There are 54 police stations, of which 7 have fully functioning GCDs and 4 GCDs are in the process of being renovated and equipped. The 2016 target is to have 17 GCDs each with a minimum of two dedicated rooms that are survivor friendly.

53. A standardized equipment list for GCDs was developed providing guidance on what a survivor/victim friendly police GCD station/post entails and an annual inventory was completed in 2015.

54. In Tanzania Zanzibar, the Police Force accomplished the following; capacitated GCDs with trained personnel including designation of at least one lawyer to handle these cases at regional level. The GCDs Officers have been trained on the harmonized SOP for Medical Forensic Practitioners, Investigation Authorities and Prosecutors in Zanzibar and Guidelines and Protocol for Key Sectors Response for Gender-based violence in Zanzibar 2013. These SOPs have been distributed to every police station throughout Zanzibar.

55. Training on GBV and laws related to GBV have been held for Police Officers. Also, Public awareness meetings are regularly conducted in various settings such as schools and the police has been using the media to educate public on GBV.

56. In 2015 a total of 361 cases related GBV were reported to Police of which 90 were taken to Court; 6 of 90 were convictions, 242 are ongoing and 29 were dismissed for lack of evidence.

57. Trainings were held by MOCLA, MESWYWC and MOHA for law enforcers and service providers that included Prosecutors, Police, Magistrates, Social welfare officers and health personnel. Some of these Trainings were guided by specific Training Manual on handling GBV cases.

Issue 10

(i)

58. The State continues to create an enabling environment for non-state actors to implement programmes and offer services that contribute the protection of girls against abuse. This has enabled UNFPA to support programme implementation focusing on promoting gender equality and protecting young girls in Mara and Shinyanga Regions. In Tarime the Association for Termination of Female Genital Mutilation (ATFGM) hosts girls and provides them with training during the period of cutting. This provides the rite of passage as an alternative to FGM/C. In Shinyanga, UNFPA also supports KIWOHEDE to protect adolescent girls from getting married at as young age as 14-19 years. School clubs are also being promoted to empower girls and protect them from stigma.

59. In Tanzania Zanzibar there is no mining, however the State has established various structures of preventing GBV victims including two safe houses (one in Unguja and one in Pemba) to provide shelter. At the community level, GBV committees have devised mechanisms for providing protection to the victims of the GBV in their respective areas.

(ii)

60. In order to prevent the stigmatization of victims of sexual violence and abuse, the Government produced 5,000 copies of a booklet on Stop Gender-based violence in a user friendly language (Kiswahili) which were disseminated to all the regions. This has increased awareness to both men and women, which has resulted in more women reporting on violence actions done to them.

61. Manuals have been developed, which are used to create awareness for women and girls victims of physical or mental abuse. The manuals are used in all legal aid clinics.

62. The curriculum of the police training institutions has been reviewed to include women's rights issues. This has enabled more graduates from police training facilities to carry out gender sensitive law enforcement. In addition, gender desks have been established in the police centres which assist women to access their rights.

63. Awareness creation programmes to address superstition and traditional beliefs, are taking place throughout the country. Extreme cases include killings of old women accused of witchcraft and killing or brutal mutilation of people with albinism, to use their body parts for traditional medicine to enrich the possessor.

64. A campaign of "Say No to Violence Against Women" is ongoing. Signatures of people supporting the campaign were collected throughout the country in 2008. The signatures were presented to the United Nations by the President of the United Republic of Tanzania. This has strengthened the campaign to eradicate Gender-Based Violence.

65. Tanzania also launched the Africa UNITE which is the Africa component of the United Nations Secretary-General's global campaign; UNITE to End Violence against Women. With a theme of "Speak Out, Climb Up" which was flagged off by the former President with 75 men, women and youth took a symbolic three-day trek to the top of Africa's highest mountain, the Kilimanjaro and made country commitments in relation to ending VAWG.

66. Since 2008, each year the 16 days of activism against gender-based violence are commemorated from 25 November to 11 December. The campaign focuses on economic and social rights, domestic violence, sexual assault and harassment, trafficking of women and girls and harmful traditional practices. Through advocacy they promote respect for women's human rights. Currently 17 Regions have launched the event which has increased awareness on GBV implication in socioeconomic well-being. About 50 CSOs and 10 Government ministries (Health and Social Welfare, Home Affairs, Judiciary, Trade and Industries, Education and Higher Learning, Finance, Gender and Community Development, Local Government and the Prime Minister's Office have been actively engaged in the 16 Days campaigns.

67. In Tanzania Zanzibar, a two years national campaign on Violence against Women and Children was launched in December 2014. Also, the "Baba Bora" Campaign has been established to promote father's participation in caring for their children and families. Orange day campaigns are commemorated on the 25th of every month and victims and their families are provided with psychosocial support.

(iii)

68. The national coordination guidelines provide the guidance also on national level reporting on GBV including investigation, prosecution, and punishment. A variety of sources are used, including through reporting to the multisectoral GBV committee. The Legal Aid Facility also tracks reports from the District level using the paralegal system.

69. There is an increase in people reporting GBV and VAC cases at police station in 2014 compared to the baseline. Statistics from the police shows that a total of 11,650 cases were reported at police stations in 2014 in the priority regions. This is an increase of 61.8 per cent in relation to 4,441 cases noted during mapping. About 5,166 (44.3 per cent) of the reported cases were prosecuted in court in 2014 leaving behind 5,520 reported cases under investigation and 984 (8 per cent) been closed at police stations for various reasons.

70. Tanzania Police Force has developed a *3-Year Action Plan for Police Gender and Children Desks 2013-2017*. The action plan was designed to guide the Tanzania Police Force to enhance effectiveness and efficiency of the responses to the investigation and dealing with cases of Sexual violence and abuse of girls. The plan sets out clear output activities and targets which can be monitored. The milestone have been incorporated in the action plan that include; number of SGBV cases reported, number of functional police gender and children desks, percentage of police stations using the new Police form number 3, percentage of Police Gender and Children Desk (GCD) using monitoring and evaluation tools, training indicators as well as partnership and public awareness indicators.

71. In Tanzania Zanzibar, the DPP office has taken measures in developing adequate system in prosecuting cases of sexual violence and abuse of girls by establishing a Unit for prosecutions and Zanzibar Children's court dealing with all matters related to sexual cases and Introducing a prosecution manual for dealing with children's cases for state Attorneys and Prosecutors.

72. The DPP has also conducted intensive trainings to all state Attorneys and Prosecutors on how to prosecute cases which children's are victims and all cases related to sexual violence.

VI. Trafficking and exploitation of prostitution

Issue 11

(i)

73. The official Gazette No. 27 (Main regulations) and 28 (Regulation of Centres) were both published on 30 January 2015.

(ii)

74. Implementation of the National Anti-trafficking in Persons Action plan is ongoing, and has been bolstered by capacitating the secretariat with four staff from the Ministry of Home Affairs (MOHA) departments of Immigration, Police, Community Service and Prisons who will also participate in the committee for decision makings.

75. The MOHA has allocated Tsh. 70 million for the financial year 2015/2016 for implementing the Action Plan. The secretariat is in the process of mobilizing more financial resources to implement the Plan.

(iii)

76. To combat trafficking of girls for labour or sexual exploitation, the Government through district authorities passed bylaws that demand each child to attend school to secondary school level. To meet this objective, each ward has a secondary school. The aim this is to ensure that children do not leave their villages after standard seven.

77. There are NGOs working on Human Trafficking issues specific on identification, control and rehabilitation issues in areas with high prevalence of trafficking of girls which are; Arusha, Dar-es-salaam, Dodoma, Iringa, Morogoro, Tanga, Manyara and Singida. These NGOs target jobless girls, ex-house girls, ex-barmaids and ex-commercial sex workers with the aim of empowering then to avoid becoming victims of trafficking and rehabilitating ex-human trafficking victims. NGOs include KIWOHEDE with branches in the regions of Arusha, Dar es salaam, Dodoma and Singida; Help to Self Help; Youth Wing; Kurasini Orphanage; Africare and Adopt Africa.

78. The MOHSW plans and implements health education and health promotion programmes targeting community members, policymakers, health-care providers, human trafficking victims, traffickers and human trafficking survivors especially girls.

(iv)

79. To strengthen awareness-raising programmes on trafficking, Tanzania Mainland through Local Government Authorities conducted training on prevention of child trafficking and on developing by-laws in their respective villages to prevent child trafficking and developed awareness raising materials.

80. In addition, 360 law enforcers, (Police and Prisons officers, Magistrate, Ward Executive officers and Village/Street Executive Officers and Traditional Leaders), have been trained on how to prevent child trafficking, to fight violence against women and children and in handling GBV cases.

81. The available One Stop Centres and Gender Desks are used to provide counselling, shelter and rehabilitation and reintegration support for women and girls victims of trafficking.

(v)

82. The National Coordination Guidelines provide guidance on national level reporting on GBV including investigation, prosecution, and punishment. A variety of sources are used, including through reporting to the multisectoral GBV committee. The Legal Aid Facility also tracks reports from the District level using the paralegal system.

83. The most common forms of trafficking of women and girls into, through and from the State Party is through recruitment of girls to work in domestic works from rural areas, transportation of girls and by using agents such as Gulf countries and China.

84. The available cases include that of 21 February 2015 for 8 Nepal girls who were rescued from the hands of a trafficker, an Indian man who is the owner of Hunters Night Club, in Kinondoni district, Dar es Salaam. The matter was taken to Court and the accused was convicted and sentenced to 10 years in jail or to pay fine of Tsh. 15 million; to pay 15 thousands USD for compensation and payment for air ticket to send the victims back to NEPAL and his three cars involved in the matter were confiscated. The accused man paid the amount and was released.

85. Another case involved 10 Tanzanian girls who were promised work in Kenya for massage jobs in the salon. Rather, they were forced to work in sexual activities in Brussels. Two women, one Tanzanian and one Kenyan were arrested and their case is still pending in Kisutu Resident Magistrates Court.

86. Another case involves a Tanzanian woman named Masitura Said, 18 years old, who was arrested in Singida Region for trafficking school girls and harbouring them in her room for sexual activities. The accused woman was arrested and the matter is at the Resident Magistrates Court.

Issue 12

(i)

87. Prostitution takes place and is an offence in the State Party. It is criminalized under the Penal Code [Cap 16 RE 2002].

88. Sex work is also illegal in Tanzania Zanzibar and the HIV and AIDS programmes in Zanzibar are designed not to stigmatize the group, rather to ensure

that HIV/SRH services are extended to Sex Workers to stimulate behaviour change, increase access to services and link to organizations that support alternative livelihood programmes for those who are motivated to undertake economic activities instead of engaging in Sex Work. There is no specific programme due to lack of funds, however when fund is available, they are provided with entrepreneurship training.

(ii)

89. The State has not taken any measures to provide alternative life choices for prostitutes, because legally it is an offence hence not allowed in the country.

VII. Participation in political and public life

Issue 13

(i)

90. In order to amend legislation and policy related to women's participation in political and public life, the country reviewed three main laws that governs leadership and political participation in Tanzania; the National Elections Act, Election Expenses Act and the Political Parties Act.

91. Technical and financial support were provided to the office of Registrar of Political Parties (ORPP) in 2014/2015 including: review of the Political Parties Act, Election Expenses Act to identify gender and inclusion gaps; capacity strengthening of political party leaders; review of 10 political parties constitutions and guidelines to identify gender gaps; learning to identify best practices, approaches and strategies from various countries in promoting nomination of women within political parties and capacity enhancement of the legal drafting team led by the ORPP, the proposed amendments to the laws contain specific principles that promotes leadership and political participation of women, youth and PWDs including harmonized nomination guidelines for political parties. The laws will be tabled in parliament sometime this year. However, some of the principles were integrated in the Political Parties Code of Conduct and Regulations for the Election Expenses Act.

92. Moreover, advocacy, awareness raising and dialogues with the senior National Electoral Commission (NEC) officials on women's rights to leadership and political participation was conducted in 2014/2015 to ensure that electoral processes, procedures, etc. would take into account women's rights and gender equality approaches and outcomes. The increased awareness demonstrated increased willingness by NEC to take up the agenda of promoting women's leadership and participation in decision-making including by increasing the number of women MPs through the Temporary Special Measures (TSM) from 30 per cent provided in the constitution to 40 per cent in 2015.

93. In addition, the Zanzibar Electoral Commission (ZEC) currently have developed the Gender and Social Inclusion Policy (GSIP) that guides the ZEC in ensuring integration of gender equality principles and inclusiveness through its operations and mandate. In Tanzania Mainland a draft Gender Equality and Social Inclusion Policy with the Office of the Registrar of Political Parties (ORPP) is place expected to be adopted in this first quarter. This is a big milestone towards ensuring

systematic incorporation of women's right and gender equality principles in the work of the ORPP.

94. In March 2015, during preparation of Zanzibar General Election of 25 October 2015, ZEC enacted the Gender and Social Inclusion in Election Policy which requires 50 per cent of women representation to Election Commission. The main strategies which implemented during General Election of 25 October 2015 were: To have gender focal person in ZEC to keep disaggregated data concern all election activities done by ZEC and to provide specific training to facilitate women in Zanzibar to participate in all election activities. About 10 district trainings conducted to representatives of women from shehia. Each training involved 40 participants.

(ii)

95. A total of 1925 aspirants, (701 youth, 105 PWDs and 1,119 women) from 22 registered political parties were identified in 2014/2015 to inform initiatives aimed at strengthening their capacities to increase their chances for nomination by political parties.

96. Later on in 2015, capacities of a total number of 1282 (845 women, 360 Youth and 77 PWDs) of the registered aspirants, representing 17 different registered political parties, were strengthened. The trainings triggered discussions on topics, such as corruption in electoral systems, how to develop effective campaign strategies, creating networks, using evidence from the communities in agenda setting and using media in campaigns. The trainings also brought together members of different political parties thereby facilitating a culture of political tolerance. This was witnessed in all the regions where participants testified that it was the first time they sat together for five days exchanging experiences, jokes through party slogans, and building team work as women, youth and PWDs.

97. In addition, a total of 1,234 women, youth and PWDs, who were identified by political parties as aspirants were trained for the 2015 elections. A total of 658 female candidates contested during the 2015 elections from various parties. A tracer survey of the participants reveal that nominated candidates increased their public speaking, leadership and campaigning skills and understanding and confidence to action on the intimidations and other forms of violence.

98. In 2014, Tanzania Zanzibar collaborated with NGOs like TAMWA and Zanzibar Women Development Organization and under the support of UN-Women implemented special project to empower women, youth and people with disability to contest at their constituencies during General Election of 2015 whereby 16 training sessions were conducted at the District level.

99. At Regional level 11 training sessions were conducted to 80 aspirants including women, youth and people with disabilities. These aspirants were equipped with knowledge and skills on how to conduct an effective campaign.

100. Also, the community was sensitized through media and public meetings to accept women, youth and people with disability to be leaders in their communities.

101. A Monitoring plan was designed and implemented for follow up and mentoring women aspirants.

VIII. Nationality

Issue 14

(i)

102. The review process of amending of the Citizenship Act of 1995 is ongoing, but the timeframe for its amendment is not yet established.

(ii)

103. According to the Citizenship Act, once the parents are granted citizenship to the United Republic of Tanzania, the child is also entitled to receive citizenship, considered they are under legal age and still living under the care of their parents.

IX. Education

Issue 15

104. The following is the enrolment of girls at all levels, including early childhood enrolment in Tanzania Mainland for the year 2014.

Levels	*Girls*	*Boys*
Pre-primary	523 528	522 846
Primary	4 175 085	4 047 582
Secondary (F1-F4)	924 864	945 418
Secondary (F5-F6)	26 854	52 215

Source: NBS, National Data, 2014.

105. In Tanzania Zanzibar girls enrolment in 2015 at pre-primary, primary, secondary and upper secondary is as follows:

Levels	*Girls*	*Boys*
Pre-primary	21 345	20 386
Primary	131 226	129 986
Secondary (F1-F4)	45 343	38 868
Secondary (F5-F6)	1 462	1 185
Higher Education	6 040	4 156

Source: Zanzibar, Ministry of Education, 2015.

(iii)

106. In Tanzania Mainland, the State has introduced some literacy programmes like TUSEME programme which is and adolescent-focused intervention based on the model of empowering female students through "speaking out". The programme has been mainstreamed into Tanzania's Secondary Education Development Plan (SEDP) of 2000-2009 and replicated in 237 Secondary Schools and 3 Centres of Excellence

to date. Through, this programme, improvement has been noted in girls' self-esteem and leadership, social and life skills while offering mutual support for positive action. Teachers who have been involved in this programme have changed their attitude to girls and a significant reduction in sexual harassment has been observed.

107. Introduction of Integrated Community-based Adult Education (ICBAE) programme has helped to lower the level of illiteracy among women given their added caring responsibilities in the care economy.

108. The mama course programme has also been introduced in Focal Development Colleges (FDCs) that recruit young mothers to enrol in FDCs together with their children for social rehabilitation and skill-building to improve their livelihoods. The programme offers courses in vocational training, life skills, entrepreneurship and childcare. Through these training courses and advocacy, the programme is raising awareness about women's rights in society.

109. Distance learning is another opportunity for women to enter higher education. The establishment of the Open University of Tanzania (OUT) continues to provide access to higher education for females otherwise challenged by family, work or other obligations.

110. In Tanzania Zanzibar, the State has established literacy classes at every village in all districts whereby illiterate people are taught to read and write. This is delivered through Swahili language. In this literacy programmes, learners are provided with skills and knowledge in line with local environment.

111. Among the measures taken to enhance effectiveness of literacy programme are providing learning, teaching materials and eye glasses to support them in learning process.

112. Sensitization sessions are carried out to local leaders and community at large in order for illiterate to join the programme. Specific livelihood programmes have been established particularly to women graduates to enable them to engage in income generating activities. This livelihood programme has three components; mobilization for the formation of income generating groups, provision of entrepreneurship training and provision of equipment.

113. In 2015/16 about 103 income generating groups have been established which comprised of 2097 members whereas 1951 are female and the 146. Among the activities that the groups engage including livestock keeping, agriculture, horticulture, tailoring.

(iii)

114. The 2014 Education and Training Policy declares the needs to remove all obstacles to access education faced by all children with special needs, girls who become pregnant being one of them. On that ground the Ministry is in final stage in preparing the "Re-Entry Guideline on How to Enable Pregnant School Girls to Continue with their Studies". The guideline proposes different measures to be taken against those men responsible for the pregnancy including sentenced to jail.

115. In Tanzania Zanzibar, the Spinsters and Single Parent Children Protection Act 2005 has provisions that requires girl child to be reinstated in school following delivery.

(iv)

116. The re-entry guideline defines roles of parents/family, community, health workers, teachers, education officers, police, welfare and social workers that needed to support the girls while they are in schools, after delivering and their reenrolment.

117. In Tanzania Zanzibar, measures have been taken including creation of awareness to parents, guardian and girls, making follow up, visits to family of the victims for giving them moral and material support such as counselling. Following reinstatement, the education officers conduct an assessment of attendance and performance on those girls.

(v)

118. To address high rate of pregnancies, the State Party is putting emphasis on the provision of Comprehensive Sexuality Education, Life Skills Education and Reproductive Health Education. Students in primary schools receive this important education through different subjects such as Civics, Biology and Science.

119. In addition, Tanzania Zanzibar has developed Life skills Manual for out of school youth under the support of UNFPA. MOH has facilitated the establishment of 10 youth friendly services that provide counselling services to youth, VCT services and outreach programmes to youth on issues of sexual and reproductive health.

X. Employment

Issue 16

(i)

120. Approximately two-thirds (64.8 per cent) of Tanzanians aged 15 years or above are currently employed in Rural areas followed by those employed in Other Urban (25.6 per cent) and Dar es Salaam the least (9.6 per cent). Across sex differentials, employed females had higher proportion than males in Rural areas (65.4 and 64.1 per cent respectively) and Other Urban (26.3 and 25.0 per cent respectively). On other hand, employed males in Dar es Salaam have higher proportion than females (10.9 and 8.3 per cent respectively).

121. Overall employment to population ratio in 2014 was 77.8 per cent whereby in Rural areas had the highest (82.2 per cent) and in Dar es Salaam recorded the least (59.8 per cent). The ratio was higher for males (82.1 per cent) as compared to females (73.8 per cent). Furthermore, the ratio was highest for age group 35-64 years (87.2 per cent) and least for age group 65 years and above (56.4 per cent). Employment to population ratio between 2006 and 2014, the ratio has slightly declined from 79.2per cent in 2006 to 77.8 per cent in 2014. The ratio for males had slightly increased from 80.8 per cent to 82.1 per cent in contrast to their female counterparts which decreased from 77.6 per cent to 73.8 per cent between 2006 and 2014. The ratio had declined for all age groups except for 35-64 years between 2006 and 2014.

122. About two thirds again (66.3 per cent) of currently employed persons were agricultural workers, followed by those employed in elementary occupations (10.9 per cent) and; service and shop sales workers (9.8 per cent). Rural areas and Other Urban had the highest proportion of agricultural workers (86.7 and 37.9 per

cent respectively) while in Dar es Salaam, the highest proportion was in elementary occupations (30.4).

123. Agriculture, forestry and fishing industry employed more persons across all age groups with low proportion for youth aged 25-34 (57.0 per cent). The persons aged 25-34 had higher proportion (16.5 per cent) in wholesale and retail trade; repair of motor vehicles and motorcycles as compared to any other selected industry across all age groups. In sector wise, agricultural sector had the highest share of total employment (66.3 per cent) followed by informal sector (21.7 per cent) and other private (7.9 per cent) stands the third.

124. Persons with precarious work account 30.0 per cent of paid employees with more males (30.3 per cent) than females (29.4 per cent). The proportion of precarious workers was almost the same in Other Urban and Rural areas (32.4 and 32.2 per cent) respectively and Dar es Salaam had least (24.7 per cent). The findings show that, 83.4 per cent of all employed persons are vulnerable employees. This situation is most common in Rural areas (93.9 per cent) followed by Other Urban areas (71.4 per cent) and Dar es Salaam the least (44.6 per cent). Females were more vulnerable (88.9 per cent) compared to males (78.2 per cent).

125. The share of males in senior and middle management occupations is higher (82.6 per cent) compared to females (17.4 per cent). Across all senior and middle management occupations females have the lowest shares compared to males. One-quarter (27.1 per cent) of paid employees are members of trade unions or employees associations with females having higher proportion (28.6 per cent) than males (26.3 per cent). Across sectors, paid employees in Central and Local government have a highest proportion of trade union members (80.9 per cent) followed by Parastatal organization (63.0 per cent) while private sector agriculture has the lowest with 1.1 per cent. (ILFS, 2014)

126. In Tanzania Zanzibar, the current unemployment rate of the age 15-65+ of women is 22.9 compared to those of men 6.0 (ILFS, 2014).

(ii)

127. There is no wage gap between men and women in both Tanzania Mainland and Zanzibar, it depends upon the professional level of education and declaration from competent Authority i.e. Wage Advisory Body, Public Services Commission.

(iii)

128. Parental leave has been provided for in the Employment and Labour Relations Act; No.6 of 2004. Section 34 of the Act, provides for the right to maternity leave for women employees and paternity leave for male employees.

129. The expansion of parental leave has been conducted through the Collective Bargaining sessions which are conducted in the workplaces by the collective bargaining agent which is a recognized trade union representing majority employees in the workplace and the employer.

130. There has been some expansion of the leave through Collective Bargaining Agreements from 84 days which have been provided by Act. No. 6 to 94 days for maternity leave for female employees and seven days paternity leave for male employees in the manufacturing and domestic sector. The collective bargaining

agreement with these expansions were observed from Private Sector mainly Industrial, domestic and plantations sector.

131. However, there is a need to build capacity on collective bargaining skills to collective bargaining parties in order to bargain for the better parental leave which will ensure the right is protected and enforced without reservations.

132. In Tanzania Zanzibar, measure on expanding parental leave to the private sector stated onto minimum standard for parental leave at Labour Relation Act No. 1 of 2005 and Employment Act No. 11 of 2005 and provide room of the negotiation between employers and employees on parental leave.

(iv)

133. The country has not yet ratified the ILO Convention No. 122 (1964) on Employment Policy nor the ILO Convention No. 189 (2011) on Domestic Work. However, there are steps taken to ensure employment issues are done without discrimination and that equal opportunity in employment is promoted. The National Employment Policy of 2008 and the Employment and Labour Relations Act No. 6 of 2004 have widely provided for non-discrimination in employment issues in the country.

134. A cabinet paper is being prepared on ILO Convention No. 189 (2011) on Domestic Work to be sent to the Parliament for discussion. However, the domestic workers rights are been enforced thought labour inspections and mediation and arbitration sessions at the Commission for Mediation and Arbitration (CMA).

135. The National Employment Policy has the objective of putting measures that will ensure the pattern of economic growth is made more employment intensive and pro poor, to have a robust labour market information systems that advocate for informal planning and decision making processes.

136. Moreover, the policy has the objective of balancing the existing imbalances between labour supply and the available job opportunities. Section 7 of the Employment and Labour Relations Act, 2004 has given employers the duty to ensure they promote equal opportunity in employment and eliminate discrimination in any employment policy and practice.

137. The employment policy has taken into account decent work agenda and labour standards which help in facilitating the attainment of equal employment opportunities in the workplaces.

138. Compliance of the employment policy and implementation of the National law and policy is done through labour inspection visits conducted by the labour officers and monitoring employer compliance of the labour laws by trade unions.

139. Tanzania Zanzibar has domesticated many Articles of the particular convection and has developed her own employment policy, laws and regulation. In case of ILO Convention No. 189 there are some measures taken towards ratification of ILO Convention No. 189 including sensitization process, stakeholders meeting and development of the workplan.

XI. Health

Issue 17

(i)

140. The final Draft Gender Operational Plan 2016-2018 is an updated version of the 2010-2012 Gender Operational Plan. Its priorities, approaches and principles are aligned to the Third National Multisectoral Framework (NMSF III, 2013/14-2017/18) and Third Health Sector Strategic Plan (HSHSP III, 2013-2017) for National HIV and AIDS Response. The Plan has also been aligned to other key national, regional and global instruments on HIV and AIDS, gender and human rights.

141. NMSF III was costed and the estimates for implementing the strategy from 2013 to 2018 was about Tsh. 4,985,120,733,905.97. The requirement for 2014/15 was estimated at Tsh. 998,829,085,083.00 of which gender specific initiatives has not been clearly indicated.

(ii)

142. The National Family Planning Costed Implementation Plan (NFPCIP) which ended in 2015 was the guiding document for the implementation of Family Planning Programme in Tanzania Mainland. Following the FP2020 meeting in 2012, the five Tanzania Commitments were integrated in (NFPCIP). The State Party is committed to increasing access to modern contraceptives to 2 million people who want to use FP but have no access of them, these include women and girls. Furthermore and following the midterm review of the National Roadmap to Accelerate Reduction of Maternal Newborn and Child Health (2008-2015), the One Plan, the Government through the then MOHSW developed "A Sharpened One Plan" (2014-2015) to implement high impact interventions to address the gap in meeting MDGs 4 and 5 by increasing access of MNCH services to socially and geographically excluded groups/areas to reduce the equity gap. FP was one of the key interventions in this plan.

143. Capacity-building was held for 42 Trainer of Trainees (TOTs) to increase young people's knowledge on Gender Issues related to HIV and AIDS, associated attitudes and skills on sexual and reproductive health.

144. The Zanzibar National Strategic Plan II emphasizes the need for gender sensitive response to HIV in order to curb the trend of HIV transmission which shows high prevalence of women as compared to men. Thus, Programmes that are implemented consider equal participation and involvement between men and women. Section 33 of the Prevention and Management of HIV and AIDS No. 18 of 2013, calls for protection of women and girls, access to gender sensitive HIV information and SRH services as well as strategies, policies and programmes that respect, protect and fulfil the human rights of women and girls.

145. Information indicating specific budget allocated for addressing the gender dimensions for HIV is still not available. Also the Prevention and Management of HIV and AIDS No. 18 of 2013 does not criminalize the transmission of HIV and it does not force disclosure of HIV status to sexual partner.

(iii)

146. The HIV and AIDS Prevention and Control Act (2008) prohibits any kind of discrimination towards People Living with HIV/AIDS. Sections 28-33 of the Act prohibits discriminatory laws, policies and practices, restricts health practitioners from stigmatizing or discriminating, prohibits other forms of discrimination, prohibits stigma and discrimination and provised offences relating to stigma and discrimination. Part VIII of the Act provides the rights and obligations of persons living with HIV/AIDS and orphans.

(iv)

147. In Tanzania Mainland, Anti-Retro-Viral drugs (ARVs) are provided free of charge for people living with HIV and AIDS since 2004. Around 400,000 people are provided with ARV services. Women who have been sexually violated have access to post-exposure prophylaxis (PEP) in all health facilities once they report. Also, counselling and the increasing acceptance of PMTCT by men and women has allowed some people living with HIV to have families and children without fear of medical concerns for their children.

148. The State has also expanded coverage of quality comprehensive Sexual Transmitted Infection (STI) services to all public, Faith Based Organizations and private health facilities and made the services user friendly particularly for youth and other vulnerable population including women and girls. It has also establish a system for monitoring STIs, drugs susceptibility, implemented a HIV drug resistance strategy and also strengthen pharmacovigilance activities for ARVs, STIs and OI medication in rural areas.

Issue 18

(i)

149. Pursuant to various reviews and identification of gaps and challenges in addressing maternal mortality more strategic and costed plans have been put in place including the Sharpened One Plan (2014-2015); the BRN Health Care where RMNCH is a priority and the new Roadmap (2016-2020). These plans are also used as resource mobilization tools. In all these strategies infrastructure improvement (renovation of high burden health centres and procurement of equipment), referral, capacity-building and others are key interventions to increase access to emergency obstetric care in rural areas.

150. In order to identify gaps and make necessary adjustments, the MoHSW allocated resources to implement policies through the preparation of guideline on Bemonc and Cemonc; provision of training to health providers in service and pre-service on Bemonc and Cemonc; and also provision of health facilities in health centres. Further, an assessment was conducted by the Ministry of Health in 2015 to identify gaps in proper provision of Maternal Services. As a result, the Ministry revised its strategic plan of 2005-2025 to accommodate the gaps.

151. In Tanzania Zanzibar, resources to implement the above policies are allocated through basket fund on annual bases (MTEF). Other fund channelled direct through Integrated Reproductive and Child Health Programme (IRCH). There are various fund sources under UNFPA to implement the services like Canadian fund, UCJ, FPA 90, UBD 03 etc. In the year 2012 the budget was Tsh. 2,512,423,066,

Tsh. 3,063,873,328 in 2013, Tsh. 4,091,797,744 in 2014 and in 2015, Tsh. 8,327,580,257.

(ii)

152. To ensure quality reproductive health services particular in rural areas, the Ministry of Health lowered 70 per cent of health facilities to dispensaries to provide Basic emergency Obstetric and Newborn Care (BemONC); 50 per cent of health centres in rural areas are upgraded to provide Comprehensive emergency obstetric and Newborn Care (CemoNC); and also provide training to health workers on CemoNC and improve referral system from one health facility to another.

153. In addition to the above measures, other strategies include Infrastructure improvement (renovation of high burden health centres and procurement of equipment), referral, capacity-building and others are key interventions implemented to increase access to emergency obstetric care in rural areas.

154. In Tanzania Zanzibar, the MoH has established maternal death audit, currently at Mnazi Mmoja Hospital, the referral hospital. The audit is in the process of been incorporated in Maternal and Prenatal Death Surveillance in data collection tool in DHS database before the scaling up to the rest of the health facilities conducting deliveries in Zanzibar.

155. One of the measures taken by MoH is to select 34 Primary Health-Care Units to provide basic obstetric and neonatal care, quality reproductive health services. These PHCUs are known as PHCU+. Currently there are 34 PHCU+ provide the indicated services at rural areas.

156. The second measure is to increase skilled personnel at health facilities. In order to increase access to quality reproductive health services and other services for women, MoH have posted skilled personnel at health facilities that provide delivery services. Education has also been provided to the community on drug abuse, early pregnancy, HIV prevention and early marriages and engaging religious leaders in educating the public on Reproductive Health.

(iii)

157. There are no efforts to publicize the abortion law. In Tanzania abortion is still illegal, but the government implements guidelines and interventions to access comprehensive Post Abortion Care (cPAC).

(iv)

158. The State has developed clear guidelines for health care by providing a safe abortion services which is done to mothers who are at risk through Comprehensive Post Abortion Care which is available at all dispensaries in the country.

(v)

159. In Tanzania Mainland abortion is only permitted to save the life of the woman, to preserve physical health, and/or to preserve mental health in cases like rape, incest, risk to the health of the mother and severe fetal impairment. Abortion is prohibited under sections 150-152 of The Penal Code [Cap 16 RE 2002]. However, section 230 of the Code provides that a person is not criminally responsible for

performing in good faith and with reasonable care and skill, a surgical operation upon any person for his benefit, or upon and unborn child for the preservation of the mother's life if the performance of the operation is reasonable having regard to the patient's state at the time, and to all the circumstances of the case. Two physicians must certify that the abortion is necessary in order to preserve the life of the pregnant woman.

160. Since 2000 the State through its National Package of Essential Health Interventions and Post-abortion Care Clinical Skills Curriculum has committed to providing Post-Abortion Care (PAC) as an essential service for women who have resorted to an unsafe abortion and is working with other stakeholders to achieve this goal including Safe Motherhood and Engender Health.

XII. Rural women

Issue 19

(i)

161. To ensure women in rural areas have access to ownership of land, the legal framework for land rights provides for women's representation in governing bodies where three of the seven village council positions shall be filled by women and for the quorum of four members to be met, at least two of the members present members shall be women. Further, many of the land allocation programmes have considered widows and women heads of households.

162. The State Party recognized both monogamous and polygamous marriages where married women are permitted to hold property individually and polygamous wives have individual rights to hold property. Married couples are presumed to hold land jointly; marital property is co-registered, and spousal consent is required when marital property is transferred or mortgaged.

163. The Zanzibar Land Tenure Act of 1992 does not deny women the right of occupancy. Section 8(1) describe of the Act provides that the holder of the interest be a Zanzibari and over the age of eighteen unless special provision has been made. In special circumstances such as inheritance of the law of succession shall apply accordingly. Zanzibar laws provide the right to ownership of the land for all.

(ii)

164. In order to support rural women's entrepreneurship, the State has strengthened Trade Facilitation and Cross boarder facilities in Tanzania to facilitate women Entrepreneurs in response to the recommendations of the study "Assessment of Women Traders Engaged in Cross Boarder to Support Formation of Networks in Tanzania dated 29 November 2012.

165. The Ministry of IT coordinated the capacity-building of a total of 750 rural women entrepreneurs in Moshi, Arusha, Namanga, Mwanza, Mara, Musoma, Tarime, Sirari and Bukoba region. As a result, rural women entrepreneurs were able to market their products to east Africa at the JUA Kali Trade Fair conducted in Dar es Salaam in November 2015 and at the EAC Conference on Women in Social Economic Development and in Business in Nairobi, Kenya on 20 and 21 August 2015.

166. Furthermore, a simplified Guide and Information Pack on EAC Trade Rules and Regulations for Women Informal Cross Boarder Traders was developed.

167. BRELA has developed a system of registering business names which enables registration provision of a certificate within eight hours. Women were trained on how to register and by December 2014 about 4,989 trade names owned by women were registered.

168. In order to ensure rural women's access to financial services and enhance their situation in the informal sector, the MIT enabled women entrepreneurs in the manufacturing sector, to obtain SME Credit Guarantee Scheme, especially in the processing of agricultural products and livestock. The fund wealth Tsh. 1,000,000,000 provided by the mutual fund between the GoT and Japan (Tanzania-Japan Food Aid Counterpart Fund and the Japan International Cooperation Agency) to facilitate women's access to capital and it is being implemented in seven provinces which are: Morogoro, Dodoma, Mbeya, Singida, Manyara, Kilimanjaro and Arusha and eventually will spread nationwide according to the availability of financial resources.

169. In 2015, the National Entrepreneurs Development Fund (NEDF) provided disbursed loan amounting to Tsh. 39,679,162,000 to 66,253 entrepreneurs including rural women. Trainings on how to run business were also provided to women entrepreneurs.

170. Tanzania Zanzibar is in the final stage of completing the establishment of business registration system whereby Tsh. 1 billion has been allocated for that purpose. Further, the Zanzibar Empowerment Fund (ZEF) has set aside Tsh 100 million to issue loans to women cooperatives and women economic groups in both rural and urban areas. Also, the ZEF regulations and guidelines stipulate that at least 40 per cent of the management of the ZEF economic groups should be women.

171. Tanzania Zanzibar has also established special Ministry dealing with empowerment issues including entrepreneurship issues. Most of its beneficiaries are women in rural areas.

(iii)

172. In order to ensure women particular rural women are self-employed, the Ministry of Industry and Trade (MIT) through Small Industrial Development Organization (SIDO) introduced women to a new technology of manufacturing of soap, milk processing, fruit, ginger, edible oil. Through this measure, about 11,168 jobs and 126 new small industries were established which created 974 jobs opportunities to women. A total of 6,213 employments were obtained from NEDP where 51 per cent of the jobs went to women. Also 13,026 jobs were created under the concept of the value chain implemented in different regions including Ruvuma (Cassava, Maize and Sunflower), Iringa (Tomato, Serena and Sunflower). Coast (Cassava, sesame and fruits), Tanga (fruits, pulses and sunflower), Manyara (Livestock and sunflower) and Mwanza (Cassava, Rice and Sunflower).

173. Tanzania Zanzibar has established incubation Centre which provides entrepreneurship skills to young entrepreneurs. The programme has 3 components namely ICT, Agro-process and Tourism. The Centre provides skills development training to start their own small enterprises. Ninety per cent of the incubates are women. It provides opportunity for first generation entrepreneurs who acquired skills on basic technology and gain exposure in areas of business operations such as;

business skills development, commerce, identification of appropriate technology, hands on experience on working project and product selection, opportunity guidance including commercial aspect of business with a view to empower youth.

174. Tanzania Zanzibar has also established barefoot training centre where women are provided with skills to manufacture solar electrification lamps and to install solar electrification in households. Women also are provided with livelihood skills which will enable them to improve their lives.

175. Entrepreneurship programmes have been established in Tanzania Zanzibar at higher learning institutions and they are in the process of establishing the programmes at secondary school level.

176. Women entrepreneurs are supported to participate in national and regional trade fair. They are provided with various trainings on entrepreneurship and convene at different forums to share experiences and lesson learned to enhance their business.

XIII. Disadvantaged groups of women

Issue 20

177. The State Party does not join hand with the concept of indigenous people propagated by the United Nations as it is not applicable to the United Republic of Tanzania. However, the State recognizes there are communities and societies with specific needs and to this end strives to provide them with amenities accordingly. For example the Hadzabe have a distinct way of live and the State has given them land out of the normal legal system. The State has also given pastoralists in Loliondo 1,500 sq. km. and emphasized its protection.

XIV. Marriage and family relations

Issue 21

(i)

178. Section 12 of the Judicature and Application of Law Act [Cap 358 RE 2002] provides the procedure for the community through their District Council to enforce modification or removal of customary law considered as discriminatory, bad or inappropriate.

179. Article 57 of the Proposed Constitution calls for non-discrimination including customs and traditions. Therefore once the new Constitution is enacted relevant legislation may be enacted, repealed or amended accordingly.

Issue 22

(i)

180. In compliance with Article 2 of CEDAW, the process of reviewing the inheritance laws in Tanzania Mainland is in progress and the anticipated adoption of a new Constitution will accelerate/necessitate the amendment of all discriminatory laws affecting women.

(ii)

181. The proposed amendments to the marriage Act will only address early marriage. Polygamy is not a practice in contention as it is associated with people's religious and traditional beliefs which sanction polygamy.

XV. Amendment to article 20 (1) of the Convention

Issue 23

(i)

182. No progress made by the State Party to accept the amendment of article 20 (1) of the Convention.